IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 23998 of 2004

Between:

The Singareni Coal Lorry Loading Un-Loading Leveling Workers Association, R.No. 1955/86, Ramagundam Division, Office 7-1-233, Tarakarama Nagar, Godavarikhani, Karimnagar District, Its Vide-President M.D. Madar, S/o Rasoo, aged 40 years, Gandhinagar, Godavarikhani, Karimnagar.

..... PETITIONER

AND

1 The Superintendent of Police, Karimnagar, Karimnagar District.
2 The Addl. Superintendent of Police,. Godavarikhani, Karimnagar District.
3 The Circle Inspector of Police, II Town Police Station, Godavarikhani, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Mandamus directing the respondents 1 to 3 to provide protection to the member of the society by declaring the petitioner society is entitled to execute the works of loading, un-loading and leveling works at Ramagundam Area.

Counsel for the Petitioner: MR.D.L.PANDU

Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following ORDER:

Petitioner claims to be a welfare society of Lorry loading and unloading workers at Ramagundam of Karimnagar district. It claims to be having 128 members on its rolls. It is alleged that by virtue of various agreements entered into by the petitioner on the one hand and the owners of the trucks on the other, the members of the petitioner alone are entitled to be engaged for loading and unloading of coal and despite the same, other private persons are engaging outsiders for this purpose. The petitioner claims to have made representations to respondents 2 and 3 complaining high-handed action of the private persons against the members of the petitioner union. It is alleged that no action has been taken by respondents so far.

Heard learned counsel for the petitioner and learned Government Pleader for Home.

Basically, even if the contention of the petitioner is to be taken as true, it is a dispute under the Trade Union Act or the Industrial Dispute Act or the one of civil nature. The police hardly have any role to play in deciding the nature of rights of the petitioner and other parties, except where the complaint is about any threat to law and order. This Court cannot direct respondents to take any specific or particular action in this matter. However, once the petitioner had submitted a complaint narrating its grievance, the same needs to be attended to and the petitioner is entitled to be informed of the action taken thereon. If respondents find that it is not possible for them to take any action, even such an information has to be given to the petitioner.

Hence, the writ petition is disposed of directing respondents to pass appropriate orders on the representations said to have been made by the petitioner. To avoid further complications, it is directed that the petitioner shall be entitled to enclose a copy of the representation along with the copy of this order. No order as to costs.

22.12.2004

Note:

Issue CC in three days.

(BO)

ksld

To

1 The Superintendent of Police, Karimnagar, Karimnagar District.
2 The Addl. Superintendent of Police,. Godavarikhani, Karimnagar District.
3 The Circle Inspector of Police, II Town Police Station,
Godavarikhani, Karimnagar District.

4 Two C.Cs. to the Government Pleader for Home, High Court Buildings, A.P., Hyderabad, (OUT).

5 Two C.D. Copies.